

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO,
FRANKLIN COUNTY, PENNSYLVANIA, AMENDING SECTION
295-17 OF THE ZONING ORDINANCE OF THE BOROUGH OF
WAYNESBORO BY REMOVING A REGULATION REGARDING
THE TOWN CENTER DISTRICT

WHEREAS, the Pennsylvania Municipalities Planning Code, (the “MPC”), at 53 P.S. §10101-11202, provides that a municipality may enact, amend, and repeal zoning ordinances; and

WHEREAS, Section 609 of the MPC provides a process for zoning ordinance amendments; and

WHEREAS, the Borough’s Zoning Ordinance has been codified at Chapter 295 of the Code of the Borough of Waynesboro (the “Code”); and

WHEREAS, the Borough’s Zoning Ordinance contains, at Section 295-17 of the Code, Use Regulations for the Town Center District; and

WHEREAS, the Borough desires to amend its Zoning Ordinance to remove the regulation which prohibits the replacement of a first floor commercial use with a dwelling unit in the Town Center District; and

WHEREAS, the Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, deems the proposed amendment to be in the best interest and the general welfare of the citizens and residents of the Borough of Waynesboro, Franklin County, Pennsylvania.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Section 295-17 of the Code entitled “Town Center District” is hereby amended by deleting Section 295-17 B (5) entitled “Additional Regulation” and subsection (a) thereunder, in their entirety.

SECTION II: Repealer. All provisions of previous ordinances of the Borough of Waynesboro which are contrary to this ordinance are expressly repealed.

SECTION III: Savings Clause. In all other respects, the Code of the Borough of Waynesboro shall remain as previously enacted and ordained.

SECTION IV: Severability Clause. If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or

circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION VI: Effective Date. This ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this _____ day of _____ 2024.

Borough Council of the Borough of
Waynesboro, Franklin County,
Pennsylvania

By: _____
C. Harold Mumma, President

ATTEST:

Melinda Knott, Secretary

Mayor of the Borough of Waynesboro